



## DISABILITY AND COMMUNICATION ACCESS BOARD

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### INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

**Docket:** **DCAB 2006-04:** Can a fixed, non-folding seat, of a dimension not to obstruct the clear effective minimum roll-in shower dimension with a seat height of 17"-19" above the finished floor, be used and located at the end of the shower stall in lieu of a folding shower seat?

**Summary:** The current ADAAG states that shower seats within a 30" x 60" minimum roll-in shower shall be folding. The U.S. Access Board, explained that the intent behind requiring a shower seat to be folding, was to maintain a clear 30" x 60" space for a wheelchair within the minimum sized roll-in shower. The current ADAAG does not address the use of a fixed, non-folding, shower seat when the shower seat does not overlap the 30" x 60" clear space within a shower that is larger than the 30" x 60" minimum size roll-in shower.

The current ADAAG requires shower seats to span the full depth of the stall to allow someone to transfer onto the shower seat. The current ADAAG requires the depth of the a shower seat to be a maximum of 23 inches from the main seat wall and that shower seats comply with section 4.26.3 Structural Strength.

This interpretive opinion addresses the need to maintain a minimum 30" x 60" clear space at all times within roll-in showers and the ability to transfer onto a fixed shower seat.

**Ruling:** For buildings or facilities subject to HRS §103-50,

#### **ADAAG Section 4.21.3 Seat**

A fixed, non-folding shower seat, with a seat height of 17"-19" above the finished floor, can be used and located at the end of a roll-in shower stall in lieu of a folding shower seat provided that a clear dimension of 30" by 60" is maintained within the shower, beyond the fixed seat. The fixed shower seat shall span the full depth of the shower stall. The depth of the seat shall be 23" maximum from the main seat wall. The structural strength of the seat shall comply with ADAAG 4.26.3.

[Rul: 9/27/2006] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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